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In re Application of  
WARRINGTON, R. C. *et al*  
Application No.: 09/600,125  
PCT No.: PCT/CA99/00005  
Int. Filing Date: 13 January 1999  
Priority Date: 13 January 1998  
Attorney Docket No.: 10242-32  
For: COMPOSITION CONTAINING  
PROPARGYLAMINE FOR  
ENHANCING CANCER THERAPY

DECISION

This is a decision on applicants' "Renewed Request Under 37 CFR 1.42" filed 30 April 2001.

**BACKGROUND**

On 28 February 2001, a decision dismissing applicants' request under 37 CFR 1.42 was mailed. The request was dismissed because applicants did not provide the name, citizenship, residence, and last known post office address of the deceased inventor as required. In addition, there was a question as to the names of the persons signing as the legal representatives of I. Alick Paterson and their authority to sign for Canada Trust.

On 30 April 2001, applicants submitted the instant renewed response which was accompanied by, *inter alia*, three notarized statements attesting to the identity, title and authority of the legal representatives, and another executed declaration with an added page listing the name, citizenship, residence, and last known post office address of the deceased inventor.

**DISCUSSION**

In the renewed petition, applicants submitted three notarized "Statements" attesting to the identity, position and authority of Brenda Kennedy and Kevin Rogers as authorized representatives of Canada Trust, legal representative of I. Alick Paterson. This evidence is sufficient to meet the objections detailed in the prior decision.

Applicants also filed another declaration with an "added page" to the Declaration. This "added page" lists the name, citizenship, residence, and last post office address of the deceased inventor, I. Alick Paterson. The declaration also indicates that Brenda

Kennedy and Kevin Rogers are the legal representatives of I. Alick Paterson as required.

However, the declaration does not list the residences and mailing addresses of the legal representatives as required by 37 CFR 1.497(b)(2). Therefore, the declaration is still not acceptable under 37 CFR 1.42.

It is also noted that the declaration does not provide the mailing addresses and residences of co-inventors, R.C. Warrington and Alan A. Boulton. 37 CFR 1.497 does not require this information. However, 37 CFR 1.63 does require this information unless such information is supplied on an application data sheet in accordance with 37 CFR 1.76.

### **CONCLUSION**

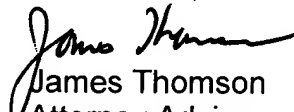
For the reasons listed above, applicants' renewed request under 37 CFR 1.42 is **DISMISSED** without prejudice.

If reconsideration of this decision is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Request Under 37 CFR 1.42". Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the PCT Legal Office.



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